IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13404 of 2004

Between:

Smt.B.Thippamma, W/o V.Chandranna,
Gollaladoddi (V), C.Belagala Mandal, Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.
3 The Mandal Revenue Officer, C.Belagala Mandal, Kurnool

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the proceedings of the 2nd respondent bearing No.RC.B.698/2004, dated 13-7-2004, as illegal, void and ultra vires of the provisions of A.P.Schedule and Commodities (Regulation of Distribution by card system) Order, 1973 and consequently direct the respondents herein to restore the authorisation of the Fair Price Shop of the petitioner situated at Golladoddi Village, C.Belagala Mandal, Kurnool District

Counsel for the Petitioner:MR.A.JAYA SANKARA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following O R D E R:

The petitioner is holding an authorization in respect of fair price shop of Gollaladoddi Village, C.Belegal Mandal, Kurnool District. The Revenue Divisional Officer, Kurnool-the second respondent herein, under the impugned proceedings dated 13-07-2004 suspended the authorization of the petitioner as fair price shop dealer with immediate effect, pending enquiry. The petitioner states that aggrieved by the order of suspension dated 13-07-2004, she has already preferred an appeal before the Joint Collector, Kurnool -the first respondent herein, along with an application seeking stay of the impugned order of suspension. The grievance of the petitioner is that the first respondent has not considered her application for stay so far, and in the meanwhile, the petitioner is not allowed to distribute the commodities to the cardholders. Hence, this writ petition challenging the order of suspension dated 13-07-2004.

Since the statutory appeal preferred by the petitioner against the impugned order is pending before the first respondent, I am not inclined to express any opinion on the merits of the case. However, keeping in view the plea of the petitioner that her application filed before the appellate authority seeking stay of the impugned order has not yet been considered, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to consider the application for stay of the impugned order of suspension dated 13-07-2004 and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. Till the application for stay is disposed of by the first respondent, the impugned order of suspension shall not be given effect to.

The Writ Petition is accordingly disposed of. No order as to costs.

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30th July, 2004

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To

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.
3 The Mandal Revenue Officer, C.Belagala Mandal, Kurnool

District.

4 Two C.Cs to the G.P for Civil Supplies, High Court Buildings,A.P,

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5 Two C.D copies